

REMARKS

I. Introduction

With the cancellation herein without prejudice of claim 12, claims 9 to 11 and 13 to 18 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicants thank the Examiner for considering the previously filed Information Disclosure Statement, PTO-1449 paper and cited references.

II. Rejection of Claims 9 to 12 and 15 Under 35 U.S.C. § 102(b)

Claims 9 to 12 and 15 are rejected under 35 U.S.C. § 102(b) as anticipated by Monitoring of Deposition and Dry Etching of Si/SiGe Multiple Stacks, Journal of Vacuum Science and Technology 14(1): 102-105 ("Tillack et al."). Applicant respectfully submits that Tillack et al. does not anticipate the pending claims for at least the following reasons.

As an initial matter, while Applicant respectfully disagrees with the merits of this rejection, to facilitate matters, claim 12 has been canceled herein without prejudice thereby rendering moot the present rejection with respect to claim 12. Withdrawal of this rejection with respect to claim 12 is therefore respectfully requested.

Claim 9 has been amended herein without prejudice to recite, *inter alia*, that a method for producing at least one of (a) etched holes and (b) etched trenches of a component based on one of (c) silicon and (d) a layered silicon/insulator structure includes, applying at least one of a germanium-containing layer and a germanium layer to a back of a silicon wafer at a point at which or in whose surroundings an etching procedure is to be completed. Support for this amendment may be found, for example, on page 2, lines 20 to 22, of the Specification. By applying the germanium layer to a back of a silicon wafer, a trench may be etched through the entire wafer, and the germanium layer may act as a protective barrier to any clamping device on the back of the wafer. Also, by applying the germanium layer to a back of a silicon wafer, the germanium layer can eventually be removed and the wafer may be broken into its electronic components, since they are no longer held together by the germanium layer.

The Office Action refers to page 102, Part A, of Tillack et al. as allegedly disclosing that at least one of a germanium-containing layer and a germanium layer is applied to a back of a silicon wafer. Tillack et al., however, does not disclose, or even suggest, applying at least one of a germanium-containing layer and a germanium layer to a **back** of a

silicon wafer. Tillack et al. describes the monitoring of deposition and patterning using sample structures containing germanium on top or in middle of the structure, not to a back of a silicon wafer. For example, Tillack et al., on page 105, section IV, concludes that the germanium allows that an “etch stop can be achieved within any of the thin films of the stack.”

As such, Tillack et al. does not disclose, or even suggest, applying at least one of a germanium-containing layer and a germanium layer to a back of a silicon wafer as set forth in claim 9. Therefore, Tillack et al. does not anticipate claim 9.

Claims 10, 11, and 15 depend from claim 9 and therefore incorporate all of the features of claim 9. Consequently, it is respectfully submitted that Tillack et al. does not anticipate claims 10, 11, and 15, which depend from claim 9.

Withdrawal of the present rejection is respectfully requested.

III. Rejection of Claims 13 and 14 Under 35 U.S.C. § 103(a)

Claims 13 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Tillack et al. and U.S. Patent Application Publication No. 2004/0245586 (“Partridge et al.”). Applicant respectfully submits that the combination of Tillack et al. and Partridge et al. does not render unpatentable claims 13 and 14 for at least the following reasons.

Claims 13 and 14 depend from claim 9 and therefore incorporate all of the features of claim 9. As more fully set forth above, Tillack et al. does not disclose, or even suggest, all of the features included in claim 9. Partridge et al. is not relied upon for disclosing or suggesting the features of claim 9 not disclosed or suggested by Tillack et al. Indeed, it is respectfully submitted that Partridge et al. does not disclose, or even suggest, the features included in claim 9 not disclosed or suggested by Tillack et al. As such, it is respectfully submitted that the combination of Tillack et al. and Partridge et al. does not render unpatentable claims 13 and 14, which depend from claim 9.

Withdrawal of the present rejection is respectfully requested.

IV. Rejection of Claims 16 to 18 Under 35 U.S.C. § 103(a)

Claims 16 to 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of U.S. Patent No. 5,335,210 (“Bernstein”) and U.S. Patent Application Publication No. 2001/0048119 (“Mizuno et al.”). Applicant respectfully submits that the combination of Bernstein and Mizuno et al. does not render unpatentable claims 16 to 18 for at least the following reasons.

Claim 16 has been amended herein without prejudice to recite, *inter alia*, that a diaphragm sensor unit includes, at least one of a germanium and germanium-containing layer which is simultaneously used as a component functional layer and is situated in the layered structure. Support for this amendment may be found, for example, on page 4, lines 5 and 6, of the Specification. By using the germanium layer as a component functional layer, the layer may be used as a diaphragm which arises in one or more etching processes by removing adjoining material, such as silicon or silicon-containing oxides.

Nowhere does Bernstein or Mizuno et al. disclose or suggest a germanium layer which is simultaneously used as a *component functional layer*. As such, it is respectfully submitted that the combination of Bernstein and Mizuno et al. does not render unpatentable claim 16, or claims 17 and 18, which depend from claim 16.

Withdrawal of the present rejection is respectfully requested.

V. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

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